

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TRISTAR INVESTORS, INC.,

Plaintiff,

v.

**AMERICAN TOWER CORPORATION,
et al.,**

Defendants.

CIVIL ACTION NO. 3:12-CV-499-M

AMERICAN TOWER, LLC, et al.,

Counter-Plaintiffs,

v.

TRISTAR INVESTORS, INC., et al.,

Counter-Defendants.

STIPULATION REGARDING SCOPE OF EXPERT TESTIMONY

In order to avoid unnecessary deposition practice, the parties hereto stipulate that the expert testimony of William D. Sims, Jr. in this matter disclosed in his report dated August 20, 2013 will be limited to his opinion as to the reasonableness of the attorneys' fees incurred by Plaintiff and the Counterdefendants in this case and the various state court cases that Plaintiff contends are "sham litigation." Mr. Sims will not offer expert testimony about whether the various state court cases instituted by American Tower actually constitute "sham litigation."

AGREED:

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CERTIFICATE OF SERVICE

On September 3, 2013, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pre se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Michael L. Nepple

Michael L. Nepple